

# Notice of Allowability

Application No.

09/743,065

Examiner

Van T. Trieu

Applicant(s)

ANTEBI ET AL.

Art Unit

2612

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Preliminary Amendment filed on 03 January 2001.
2. ☒ The allowed claim(s) is/are 1-68.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date See Continuation Sheet
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 1/3/01; 8/8/03; 11/20/03 & 4/15/05.

## DETAILED ACTION

### *Allowable Subject Matter*

1. The following is an examiner's statement of reasons for allowance: there are no prior arts teaching or suggesting of a method of controlling at least one device by incidental sound produced by a living creature, comprising:

attaching a sound-maker to a portion of the living creature;

positioning at least one device which responds to sounds, in a location in which the device senses sounds from the sound maker;

sensing, by the at least one device, sounds from the sound-maker which are caused by movements of the portion of the living creature to which the sound-maker is attached; and

responding by a physical response to the sensed sounds, by the at least one device.

In another embodiment, a method of controlling at least one device by sound, comprising:

generating a sound;

receiving the sound by the at least one device;

analyzing the received sound for at least one parameter of a distance from the at least one device to a source of the sound, whether the source of the sound is approaching or moving away, an amplitude of the sound and a pitch of the sound; and

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responding by the at least one device with different physical responses to sounds with different values of the at least one parameter.

In another embodiment, a sound-controlled device, comprising:

- a sound receiver that receives sounds in frequencies inaudible to 20 year old human males but audible to pets, and produces at least one sound signal responsive thereto;

- a sound analyzer, that analyzes the at least one sound signal to determine at least one parameter of the sound; and

- a response element that performs a physical response, responsive to at least some of the analyzed sound signals according to the determined at least one parameter.

In another embodiment, a method of controlling at least one device by sound, comprising:

- generating a sound;

- receiving the sound by the at least one device;

- analyzing the received sound for a parameter of a sound production rate of the received sound; and

- responding by a physical response, which has a speed which is a function of the sound production rate.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Sasser** discloses a device for monitoring a golfer's errant hand movements to generate sounds to be heard by a golfer, and to transmit an RF or infrared IR signal to an instructor remotely from the golfer for responding to the golfer's hand movements.

[US 5,324,038]

**McKeefery** discloses a toy doll, which responds with spoken words and/or sentences to the touching of selected portions of the doll by a user and/or voice actuation by the user.

[US 4,696,653]

**Lang** discloses a system including a control station for remotely controlling an animated character. Radio frequencies are used to transfer audio, video and other control signals to the animated character to provide speech, hearing, vision and practically any movement in real-time. [US 5,289,273]

3. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number

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is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mr. Mike Horabik** can be reached on (571) 272-3068.

A handwritten signature in black ink, appearing to read 'Van Trieu', with a long, sweeping horizontal stroke extending to the right.

**Van Trieu**  
**Primary Examiner**  
**Date: 10/23/06**